

### REMARKS

Claims 2, 4, 6, 8, 10, and 12, as amended, are pending. Applicant has canceled claim 13 without prejudice to pursuing the subject matter of this claim in a continuing application. Applicant has amended claims 2, 6 and 12. Attached hereto is a marked-up version of the changes made to the above-identified application by the current amendment, which is captioned **"Version with markings to show changes made."** The amendments find full support in the original specification and claims. No new matter is presented. Applicant is submitting herewith a Request for Continued Examination, and thus respectfully requests entry of these amendments in response to the final Office action.

As an initial matter, Applicant hereby confirms the election without traverse to prosecution the invention of Species (1), as recited in claims 2, 4, 6, 8, 10 and 12.

The Examiner rejected claim 2 under 35 U.S.C. § 112, second paragraph, as allegedly indefinite. Applicant has amended claim 2 to recite "alkaline earth metal" as suggested by the Examiner, thereby obviating this rejection. Applicant respectfully requests that the rejection under section 112, second paragraph, be withdrawn.

The Examiner rejected claim 6 under 35 U.S.C. § 102(b) as allegedly anticipated by Nordblom et al. (U.S. Patent No. 3,639,176) or Kalaigan et al. ("Electrochemical Behavior"). Applicant respectfully traverses these rejections.

Applicant has amended claim 6 to recite that the compound in the organic solvent is selected from the group consisting of nitride compounds, chloride compounds and fluoride compounds, and thus is not selected from sulfide compounds, as previously recited. Nordblom discloses a zinc electrode containing mercuric sulfide or a mixture of mercuric sulfide and lead sulfide. Nordblom does not teach or suggest the use of any other types of compounds, much less nitride compounds, chloride compounds or fluoride compounds, as presently claimed. In fact, the entire focus of Nordblom's invention is the use of mercuric sulfide. Accordingly, Nordblom does not teach or suggest the claimed invention.

Kalaigan discloses a cadmium electrode containing  $\text{Na}_2\text{S}$ . Kalaigan, like Nordblom, provides absolutely no teaching or suggestion to use nitride compounds, chloride compounds or fluoride compounds, as presently claimed. Accordingly, Kalaigan similarly does not anticipate the claimed invention.

Applicant therefore respectfully requests that the rejections under section 102(b) over Nordblom and Kalaighan be withdrawn.

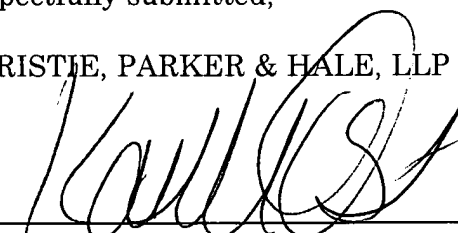
The Examiner rejected claims 2, 6, 8 and 12 under 35 U.S.C. § 102(a) as allegedly anticipated by Watanabe et al (JP 200-243445, abstract). Applicant respectfully traverses this rejection. Independent claims 6 and 12 have been amended to recite that the negative active material slurry comprises a carbonaceous negative active material. In contrast, Watanabe employs molybdenum oxide, iron sulfide, and niobium pentoxide as an active material. Battery performance depends upon the active material. Watanabe's battery performance will be different from that of the claimed invention, which employs a carbonaceous negative active material. Accordingly, Watanabe does not teach or suggest the claimed invention. Applicant therefore respectfully requests that the rejection over Watanabe be withdrawn.

In view of the foregoing amendments and remarks, Applicant respectfully submits that pending claims 2, 4, 6, 8, 10, and 12, as amended, are in condition for allowance, and a timely indication of allowance is respectfully requested. If there are any remaining issues that can be addressed by telephone, Applicant invites the Examiner to contact the undersigned at the number indicated below.

Respectfully submitted,

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